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SUBJECT: OPPOSING UNGA RESOLUTIONS WITH ANTI-ISRAEL BIAS

SUMMARY AND ACTION REQUEST

1. (SBU) Posts are requested to approach highest appropriate officials in host governments in pursuit of the following objectives:

-- to pursue reduction in the overall number of one-sided UN General Assembly resolutions on the Middle East; and,

-- to defeat three resolutions reaffirming the existence and activities of the "Committee on the Exercise of the Inalienable Rights of the Palestinian People," the "Division for Palestinian Rights within the UN Secretariat," and the "Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories."

Posts may draw on the background in paragraphs 3-5, the listing of resolutions in paragraph 6 (which may be left as an aide memoire), and talking points in para 13 in making this demarche. As indicated in paragraphs 7-12, countries that have previously voted "yes" should be urged to vote "no," or at least abstain or absent themselves from the voting. Those that have abstained or been absent should be urged to vote "no." Chiefs of Mission may exercise discretion in determining what method to use in conveying firm U.S. opposition to these one-sided resolutions in order to elicit the most constructive possible outcome. All posts are encouraged to make U.S. opposition to such resolutions a standard part of our regular dialogue with host governments about UNGA matters and the Middle East.

POINT OF CONTACT AND DEADLINE

2. (SBU) Responses are requested by opening of business EST, Monday, November 24. In replies to the Department, please indicate at what level the demarche was delivered and slug responses for IO/UNP Andrew Morrison and the appropriate regional coordinator.

BACKGROUND

3. (U) Each fall, when the UN General Assembly meets, a disproportionate number of one-sided resolutions related to the Middle East are considered and adopted. At the 62nd UNGA in 2007-8, for example, of 278 resolutions adopted, 21 had as their main focus explicit criticism of Israeli actions and/or support for the Palestinian people with a criticism of Israeli actions clearly implied. This, despite the fact that the situation in the Middle

East is reviewed in monthly briefings in the Security Council and periodic reports of the Quartet (UN, U.S., Russia, EU), and that negotiations between the two sides are underway. This year, starting on November 24-25 and continuing throughout December, a similar number of redundant, one-sided resolutions -- essentially identical to those presented last year -- will again be considered.

¶4. (U) The U.S. sees no contradiction between support for the Palestinian people and support for Israel. Our clearly stated goal is for there to be two democratic states, Israel and Palestine, living side by side in peace and security. We back up our policy with substantial diplomatic support for both sides consistent with the process launched in Annapolis in November 2007, and significant financial support to the Palestinian Authority and to Palestinian refugees, for whom the U.S. is the largest single-state donor. The U.S. views the UNGA's extraordinary, one-sided fixation against Israel as deeply corrosive and harmful to balanced, good-faith efforts to achieve a just and lasting peace.

¶5. (SBU) The USG has two long-term goals with respect to the UNGA's handling of this issue. First, we seek a reduction in the overall number of these resolutions, which can come as countries join us in realizing their redundancy and starting to vote against or abstain on at least some of them. Second, we seek to defeat three

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resolutions in particular that reaffirm the existence and activities of three UN bodies which -- unlike any others in the UN system -- have as their inherent purpose the promotion of a culture of bias against one UN member state, (i.e., Israel). These three bodies are the Committee on the Exercise of the Inalienable Rights of the Palestinian People; the Division for Palestinian Rights within the UN Secretariat; and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Not only do these bodies consume UN resources while making no useful contribution to Middle East peace and the two-state solution, they also help create what amounts to a self-perpetuating echo chamber, helping to justify the UNGA's continuing disproportionate fixation on this issue. Gradually, an increasing number of member states have been abstaining on these three resolutions.

UNGA Resolutions in 2007

¶6. (U) In 2007 the UNGA passed fourteen resolutions explicitly criticizing Israel, plus seven expressing support for the Palestinian people vis-a-vis their relationship to Israel. (To place this in context, only six other UNGA resolutions explicitly criticized specific member states -- North Korea, Iran, Belarus, Burma, Armenia and the U.S.) Posts may provide the following list of resolutions to host-country interlocutors as a non-paper:

Resolutions of the 62nd UNGA explicitly critical of Israel:

-- Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (62/106);

-- Peaceful Settlement of the Question of Palestine (62/83);

-- Jerusalem (62/84);

- The Syrian Golan (62/85);
- The Occupied Syrian Golan (62/110);
- Permanent Sovereignty of the Palestinian People in the Occupied Palestinian territory, including East Jerusalem, and of the Arab Population in the Occupied Syrian Golan over their Natural Resources (62/181);
- Applicability of the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, to the Occupied Palestinian Territory, including East Jerusalem, and the other occupied Arab territories (62/107);
- Israeli Settlements in the Occupied Palestinian Territory, including East Jerusalem and the Occupied Syrian Golan (62/108);
- Israeli Practices Affecting the Human Rights of the Palestinian people in the Occupied Palestinian Territory, including East Jerusalem (62/109);
- Palestinian Refugees' Property and their Revenues (62/105);
- Operations of the United Nations Relief and Works Agency for Palestinian Refugees in the Near East (62/104);
- Oil Slick on Lebanese Shores (62/188);
- Financing the United Nations Interim Force in Lebanon (62/265) (Note: Out of seventeen UNGA resolutions funding peacekeeping operations, including the forces for Darfur and the Congo, only this one criticizes the actions of a UN member state);
- The Risk of Nuclear Proliferation in the Middle East (62/56) (Note: Israel is the only state mentioned by name.)

Resolutions of the 62nd UNGA expressing support for the Palestinian people:

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- Committee on the Exercise of the Inalienable Rights of the Palestinian People (62/80)
- Division for Palestinian Rights of the Secretariat (62/81)
- Special Information Programme on the Question of Palestine of the Department of Public Information of the Secretariat (62/82)
- Assistance to the Palestinian People (62/93)
- Assistance to Palestinian Refugees (62/102)
- Persons Displaced as a result of the June 1967 and Subsequent Hostilities (62/103)
- The Right of the Palestinian People to Self-Determination (62/146)

17. (U) The 2007 voting record in the 62nd UNGA on the key resolutions reaffirming three UN bodies were as follows:

- Committee on the Exercise of the Inalienable Rights of the Palestinian People (resolution 62/80), approved 109-8, with 55 abstentions;
- Division for Palestinian Rights of the Secretariat (resolution 62/81), approved 110-8 with 54 abstentions;

-- Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories (resolution 62/106), approved 93-8 with 74 abstentions.

¶8. (U) In 2007, the following countries voted in favor of all three key resolutions listed in paragraph 6: Afghanistan, Algeria, Angola, Antigua-Barbuda, Azerbaijan, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burma, Cambodia, Central African Republic, Chile, China, Congo, Cuba, Democratic People's Republic of Korea, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Gabon, Ghana, Guinea, Guyana, Haiti, India, Indonesia, Iran, Iraq, Jamaica, Jordan, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Morocco, Mozambique, Niger, Nigeria, Oman, Pakistan, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Saudi Arabia, Senegal, Somalia, South Africa, Sri Lanka, Sudan, Suriname, Syria, Tajikistan, Togo, Trinidad and Tobago, Tunisia, Turkey, United Arab Emirates, United Republic of Tanzania, Uzbekistan, Venezuela, Vietnam, Yemen, Zambia, and Zimbabwe.

¶9. (U) In 2007, the following countries voted against these same three key resolutions: Australia, Canada, Israel, Marshall Islands, Micronesia, Nauru, Palau, and the United States.

¶10. (U) In 2007, the following countries abstained or were absent for the votes on all three resolutions: 62/80, 62/81 and 62/106: Albania, Andorra, Belgium, Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Chad, Colombia, Cote d'Ivoire, Croatia, Czech Republic, Denmark, Democratic Republic of Congo, Estonia, Equatorial Guinea, Finland, France, Georgia, Germany, Greece, Guatemala, Guinea-Bissau, Hungary, Iceland, Ireland, Italy, Japan, Republic of Korea, Kiribati, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Moldova, Monaco, Mongolia, Montenegro, Netherlands, New Zealand, Norway, Papua New Guinea, Peru, Poland, Portugal, Romania, Russian Federation, Rwanda, Samoa, San Marino, Sao Tome, Serbia, Seychelles, Slovakia, Slovenia, Solomon Islands, Spain, Sweden, Switzerland, Thailand, The Former Yugoslav Republic of Macedonia, Timor-Leste, Tonga, Ukraine, United Kingdom, and Vanuatu.

¶11. (U) The following countries had mixed voting records in 2007:

Argentina, Bahamas, Cape Verde, Costa Rica, Cyprus, El Salvador, Honduras, Kazakhstan, Kenya, Liberia, Malta, Mexico, Philippines and Swaziland -- Yes on 62/80 and 62/81; abstained or absent on 62/106.

Dominica -- Absent on 62/80 and 62/81; Yes on 62/106.

Armenia -- Yes on 62/80 and 62/106; abstained on 62/81.

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Panama, Uruguay -- Abstained on 62/80 and 62/106; Yes on 62/81.

¶12. (U) Note: In addition to the 17 Non-Aligned Movement (NAM) members who abstained on resolution 62/106 in 2007 (i.e., Bahamas, Cameroon, Colombia, Congo, Cote d'Ivoire, Equatorial Guinea, Ethiopia, Fiji, Guatemala, Honduras, Mongolia, Panama, Papua New Guinea, Peru, the Philippines, Thailand, and Vanuatu), ten other NAM states occasionally abstained on the same resolution over the period 2003-2006, though not all at the same time:

-- Antigua and Barbuda, Bhutan, Burkina Faso, Burundi, Cape Verde, Central African Republic, Jamaica, Rwanda,

Saint Vincent and the Grenadines, and Uganda.

Posts in these nations may wish to make a special effort to encourage host governments to resume abstaining on this and other resolutions. Other posts in the Caribbean, Central African and Pacific island areas in which most of these 27 recent NAM abstentions were concentrated may wish to encourage host governments to join with neighboring NAM nations in abstaining or at least absenting themselves from the vote on these resolutions. End Note.

ADDITIONAL BACKGROUND ON MIDDLE EAST SITUATION

13. (U) Begin Talking Points:

-- With respect to the situation in the Middle East, the U.S. has clearly stated our policy that there should be two democratic states, Israel and Palestine, living side by side in peace and security. We back up our policy by substantial diplomatic support for both sides consistent with the process launched in Annapolis in November 2007, and significant financial support to the Palestinian Authority and to Palestinian refugees, for whom the U.S. is the largest single-state donor.

-- We see no contradiction whatsoever between support for the Palestinian people and support for Israel. Both sides need support to be able to take the steps necessary for a just and lasting peace.

-- Each year, therefore, we are appalled and discouraged as the UN General Assembly unhelpfully takes up a disproportionate number of resolutions related to the Middle East, all unbalanced by their explicit or implicit one-sided criticism of Israel.

-- These resolutions are repetitive and unbalanced, and are completely unlike the UNGA's action with respect to any other member state, geographic area or issue. They place demands on the Israeli side while failing to acknowledge that both sides have obligations and must take difficult steps towards peace.

-- The U.S. accepts the principle that the UNGA may look into the practices of individual states. However, last year the UNGA adopted only six resolutions specifically critical of member states other than Israel. We supported some of these resolutions and opposed others. Four focused on severe human rights abuses in North Korea (62/167), Iran (62/168), Belarus (62/69), and Burma (62/162); one called for Armenia to end its occupation of Azerbaijani territory (62/243); and one called for the U.S. to end its embargo of Cuba (62/3).

-- Last year, the UNGA adopted 14 resolutions specifically critical of Israel and seven expressing support for the Palestinian people vis-a-vis their relationship to Israel. It is set to do so again this year. All told, these 21 resolutions took up 61 pages of text, compared to 20 pages for the resolutions criticizing the six other states. (The list at para 4 may be provided as a non-paper.)

-- Whatever the merits of the issue, this represents an extraordinarily disproportionate and unjustified focus on one member state. The situation in the Middle East is an important matter, but looked at in relation to the overall problems facing the planet, this matter does not warrant three-quarters of the time and energy the UNGA devotes to critical review of the actions of member states.

-- Just as serious as their disproportionality, the resolutions serve more to undermine than to assist the ongoing negotiations and the credibility of the UN:

-- They undermine the institutional credibility of the UN, which as a member of the Quartet (U.S., EU, UN, Russia), must be seen by both sides as an honest broker in facilitating a resolution to the Middle East conflict.

-- They have no positive effect in helping achieve a just resolution of the conflict. Indeed, they can have a serious corrosive affect both by convincing many on the Israeli side that they will be treated unfairly by the UN no matter what concessions they offer, and by convincing extremist elements on the Palestinian side that they will not be criticized no matter what they do, up to and including terrorist attacks targeting civilians.

-- They presuppose the outcome of permanent status issues, such as the right of return, checkpoints and settlement activity, that properly belong in ongoing bilateral negotiations between the Israelis and the Palestinians, thus making it more difficult to resolve such issues.

-- They add nothing to the far more detailed and up-to-date monthly discussions of the Security Council on the situation in the Middle East.

-- For these reasons, we call on all member states to join us in instructing Missions in New York to vote against or abstain on these resolutions, or at least to absent their delegations when they come up for a vote.

-- We will take note of and be most appreciative of any change of vote from "yes" to abstain or not voting, or from abstain to "no" that your country may be able to effect. For those already joining us in opposition to these resolutions we reiterate our thanks.

-- Of particular concern to the U.S. are three resolutions extending three UN bodies, established more than a generation ago, which do not contribute to the achievement of peace in the region: the Committee on the Exercise of the Inalienable rights of the Palestinian People; the Division for Palestinian Rights; and the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories.

-- These bodies perpetuate the perception of an inherent UN bias inconsistent with support for the Roadmap, which properly demands actions from both sides, not just Israel.

-- The time has come for the UN General Assembly to review these entities in light of their actual contribution, or lack of contribution, towards a solution for the conflict in the Middle East. The General Assembly can best play a role in supporting peace in the region by demonstrating a balanced approach to the parties to the conflict.

-- Over the past several years, support for these resolutions has eroded. Last year, over 75 countries voted "no" or abstained on all three resolutions. For the vote on the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People, the combined "no" votes and abstentions almost equaled the "yes" of 90. Clearly, there is no longer anything close to consensus support for these bodies.

-- (For Ankara only) The Government of Turkey deserves special praise for its efforts in facilitating indirect talks between Syria and Israel on the Golan and other issues. To maintain its impartiality (and the undisputed appearance of impartiality) in this role, Turkey should abstain on all Golan-related UNGA resolutions, and encourage other states to join it in so doing.

-- (For Valetta and Nicosia Only) Your country is one of only two in the EU that participate in the Committee on the Exercise of the Inalienable Rights of the Palestinian

People. We urge you to consider discontinuing your membership, which does not contribute to a balanced or constructive UN role in the Middle East Peace Process.

-- (For Nassau, Ouagadougou, Santo Domingo, San Salvador, Guatemala City, Port-au-Prince, Tegucigalpa, Monrovia, Mexico City, Abuja, Panama City, Lima, St Lucia and Montevideo Only) Earlier this year we discussed with your Head of State/Foreign Minister the dissonance between our two countries' close relationship and our lack of voting coincidence with each other at the UN. The resolutions noted above are among the important votes on which we have been hoping for an improvement in this voting coincidence.

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End Talking Points.

[¶14.](#) Tripoli minimize considered.

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